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Attorneys for Defendants Mitchell and Jessen

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
AT SPOKANE**

SULEIMAN ABDULLAH SALIM,
MOHAMED AHMED BEN SOUD,
OBAID ULLAH (as personal
representative of GUL RAHMAN),

Plaintiffs,

vs.

JAMES ELMER MITCHELL and
JOHN "BRUCE" JESSEN,

Defendants.

NO. 2:15-CV-286-JLQ

**DECLARATION OF
CHRISTOPHER W.
TOMPKINS IN SUPPORT OF
DEFENDANTS' MOTION TO
EXPEDITE CONSIDERATION
OF PENDING MOTION**

DECLARATION OF CHRISTOPHER W.
TOMPKINS IN SUPPORT OF
DEFENDANTS' MOTION TO EXPEDITE

NO. 2:15-CV-286-JLQ

Betts
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(206) 292-9988

1 I, Christopher W. Tompkins, hereby certify under penalty of perjury, that the
2 following is true and correct and within my personal knowledge:
3

4 1. I am over the age of 18, have personal knowledge of all facts
5 contained in this declaration, and am competent to testify as a witness to those
6 facts.
7

8 2. I am one of the attorneys representing Defendants, James Elmer
9 Mitchell and John “Bruce Jessen (collectively, “Defendants”) in this action.

10 3. Counsel for Defendants have been in communication with counsel for
11 Plaintiffs concerning the difficulties associated with formulating an appropriate
12 Answer.
13

14 4. Given those difficulties, Defendants suggested that it was sensible to
15 delay the filing of an Answer until after Defendants have been provided with
16 detailed guidance, either by agreement with the United States or direction of the
17 Court, as to the subject matters that they may (or may not) discuss with their
18 counsel in light of the Nondisclosure Agreements and otherwise.
19
20

21 5. Plaintiffs acknowledged their agreement with Defendants’ suggested
22 approach, writing: “As to Defendants’ Answer, Plaintiffs agree it should not be due
23 until the Parties come to agreement with the Government on the procedures under
24 which discovery and client communication will proceed in this case. Plaintiffs
25

26
27 DECLARATION OF CHRISTOPHER W.
28 TOMPKINS IN SUPPORT OF
DEFENDANTS’ MOTION TO EXPEDITE - 1 -
NO. 2:15-CV-286-JLQ

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1 agree that the deadline should be thirty days after the agreed procedures are in
2 place.”

3
4 6. Defendants request expedited consideration of the pending Motion
5 because an expedited decision will give the parties certainty as to the time for
6 Defendants to file their answer before the current May 12 deadline.

7
8 7. Counsel for Defendants notified chambers of this motion on May 6,
9 2016. Plaintiffs do not oppose the expedited hearing of the Unopposed Motion to
10 Set Time to File Answer.

11
12 s/ Christopher W. Tompkins
13 Christopher W. Tompkins

14 Executed this 6th day of May, 2016
15 at Seattle, Washington.

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of May, 2016, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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By s/ Shane Kangas
Shane Kangas
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